

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 3:92-CR-35-3H

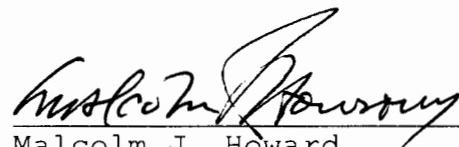
ANTONIO WILSON,)
Petitioner,)
v.)
UNITED STATES OF AMERICA,) **ORDER**
Defendant.)

This matter is before the court on petitioner's motion to vacate his conviction in Count Two for using or carrying a firearm during and in relation to a drug trafficking crime, 18 U.S.C. § 924(c). The government has responded in support of the motion. This matter is ripe for adjudication.

The court has carefully reviewed this matter and for the reasons stated in the government's response, Count Two of petitioner's convictions is hereby VACATED. The United States Probation Office is directed to prepare an updated presentence

memo. This matter is hereby set for re-sentencing at this court's November 12, 2014, term.

This 26th day of August 2014.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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